

State & OGC reviews completed

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**SECRET**

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*Jan 55*

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MEMORANDUM FOR: Director of Central Intelligence

SUBJECT : Employment of Retired Army Officer

REFERENCE : Memorandum for DCI from AD/P, dated 16 Nov 54,  
same subject

1. We concur in Mr. Reynold's conclusion that [ ] appointment should be undertaken within the provisions of Public Law 53. The law is not sufficiently explicit to say beyond a doubt that his appointment would be illegal if made other than through Public Law 53, but we think that the balance of legislative intent would be against any construction that would permit a clear distinction to be made between staff personnel used directly by the Agency and those employed under a cover contract by one of the Agency's proprietary organizations.

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2. Since the prohibitions involved run to the individual rather than to the Agency, the various statutory authorities and exemptions for the Central Intelligence Agency do not affect this opinion.

LAWRENCE R. HOUSTON  
General Counsel

cc: AD/P  
Chief/IO Division

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